

E-FILED ON: 10-18-06

1 CiCi CUNNINGHAM, ESQ.
 Nevada Bar No.: 4960
 2 JAMES A.KOHL, ESQ.
 Nevada Bar No.: 5692
 3 CHRISTINE A. ROBERTS, ESQ.
 Nevada Bar No.: 6472
 4 RAWLINGS, OLSON, CANNON,
 GORMLEY & DESRUISSEAUX
 5 9950 West Cheyenne Avenue
 Las Vegas, NV 89129
 6 Phone: (702) 384-4012
 Fax: (702) 383-0701
 7 Email: bankruptcy@rocgd.com
 Attorneys for Creditors,
 8 Prospect High Income Fund,
 ML CBO IV (Cayman) Ltd.,
 9 PAMCO Cayman, Ltd.,
 PAM Capital Funding, L.P.,
 10 Highland Crusader Fund, Ltd.,
 and PCMG Trading Partners XXII, L.P.

11 UNITED STATES BANKRUPTCY COURT
 12 DISTRICT OF NEVADA

13 In re:) CASE NO.: BK-S-06-10725-LBR
 14 USA COMMERCIAL MORTGAGE COMPANY,) CASE NO.: BK-S-06-10726-LBR
 Debtor.) CASE NO.: BK-S-06-10727-LBR
) CASE NO.: BK-S-06-10728-LBR
) CASE NO.: BK-S-06-10729-LBR

16 In re:) Chapter 11
 17 USA CAPITAL REALTY ADVISORS, LLC,)
 Debtor.)

18 In re:) **Jointly Administered Under**
 19 USA CAPITAL DIVERSIFIED TRUST DEED) **Case No. BK-S-6-10725-LBR**
 FUND, LLC,)
 20 Debtor.)

21 In re:) **CERTIFICATE OF SERVICE OF**
 22 USA CAPITAL FIRST TRUST DEED FUND, LLC,) **MOTION FOR RELIEF FROM**
 Debtor.) **THE AUTOMATIC STAY**
)

23 In re:)
 24 USA SECURITIES, LLC,)
 Debtor.)

25 Affects:)
 26 ☐ All Debtors)
 27 ☐ USA Commercial Mortgage Company)
 28 ☐ USA Capital Realty Advisors, LLC)
☒ USA Capital Diversified Trust Deed Fund, LLC)
☐ USA Capital First Trust Deed Fund, LLC)
☐ USA Securities, LLC,)

HEARING:
Date: November 13, 2006
Time: 9:30 a.m.

Law Offices of
 RAWLINGS, OLSON, CANNON
 GORMLEY & DESRUISSEAUX
 A Professional Corporation
 9950 West Cheyenne Avenue
 Las Vegas, Nevada 89129
 (702) 384-4012 Telecopier (702) 383-0701

CERTIFICATE OF SERVICE OF MOTION FOR RELIEF
FROM THE AUTOMATIC STAY

I, the undersigned do hereby certify that the MOTION FOR RELIEF FROM THE AUTOMATIC STAY was served on the 18th day of October, 2006, via facsimile to the following:

Annette W. Jarvis, Esq.
Ray Quinney & Nebeker,
P.C.
36 South State Street, Suite
1400
P.O. Box 45385
Salt Lake City, UT 84145
Faxed to: (801) 532-7543

Lenard E. Schwartz
Schwartz & McPherson
Law Firm
2850 South Jones Blvd.,
Suite 1
Las Vegas, NV 89146-5308
Faxed to: (702) 892-0122

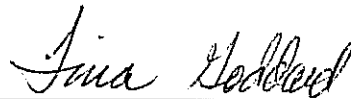
Office of the U.S. Trustee
300 Las Vegas Blvd. South
Suite 4300
Las Vegas, NV 89101
Faxed to: (702) 388-6658

USA Capital Diversified
Trust Fund Deed, LLC
Thomas J. Allison
4484 S. Pecos Road
Las Vegas, NV 89121
Faxed to: (312) 644-8927

And via electronic notification to the following:

SEE ATTACHED LIST.

DATED this 18th day of October, 2006.



Tina Goddard, an employee of Rawlings, Olson,
Cannon, Gormley & Desruisseaux

File a Motion:06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

Type: bk Chapter: 11 v Office: 2 (Las Vegas)
Judge: lbr Assets: y
Case Flag: Sanctions, FeeDueVP, EXHS, BAPCPA, LEAD, JNTADMN

U.S. Bankruptcy Court**District of Nevada****Notice of Electronic Filing**

The following transaction was received from CUNNINGHAM, CICI entered on 10/18/2006 at 11:21 AM PDT and filed on 10/18/2006

Case Name: USA COMMERCIAL MORTGAGE COMPANY
Case Number: 06-10725-lbr
Document Number: 1574

Docket Text:

Motion for Relief from Stay . Fee Amount \$150. Filed by CICI CUNNINGHAM on behalf of PROSPECT HIGH INCOME FUND (CUNNINGHAM, CICI)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:G:\Bankruptcy\E-Filing\USA Capital\Div-ObjPOC\MotionforRelief.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=989277954 [Date=10/18/2006] [FileNumber=7407312-0
] [e24edf313980da471a708ac83f9b30d66df89cff691e4a6cd50159b283d5b39e7c0
77359ac4ca96c230e5e042a530557e1b0dd435849606167062c38fc17154e]]

06-10725-lbr Notice will be electronically mailed to:

FRANKLIN C. ADAMS franklin.adams@bbklaw.com, arthur.johnston@bbklaw.com

NANCY L ALLF nallf@parsonsbehle.com,
klawrence@parsonsbehle.com;tthomas@parsonsbehle.com;ecf@parsonsbehle.com

OGONNA M. ATAMOH oatamoh@nevadafirm.com,
bkecf@nevadafirm.com;paltstatt@nevadafirm.com;sliberio@nevadafirm.com

KERIANN M ATENCIO ATENCIOK@GTLAW.COM

BMC GROUP, INC. evrato@bmcgroup.com, ecf@bmcgroup.com;jmiller@bmcgroup.com;jbartlett@bmcgroup.com

KELLY J. BRINKMAN kbrinkman@gooldpatterson.com

THOMAS R BROOKSBANK tom@tombrooksbank.com, renee@tombrooksbank.com

ANDREW M. BRUMBY abrumby@shutts-law.com, rhicks@shutts-law.com;lmackson@shutts-law.com

MATTHEW Q. CALLISTER mqc@callister-reynolds.com, maggie@callister-reynolds.com

CANDACE C CARLYON ltreadway@sheacarlyon.com,
ccarlyon@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com;rmsmith@sheacarlyon.com

ROB CHARLES rcharles@lrlaw.com, cjordan@lrlaw.com

MICHAEL W. CHEN yvette@ccfirm.com

KEVIN B. CHRISTENSEN kbchrislaw@aol.com

JANET L. CHUBB tbw@jonesvargas.com

JEFFREY A. COGAN jeffrey@jeffreycogan.com, sarah@jeffreycogan.com

WILLIAM D COPE cope_guerra@yahoo.com

CICI CUNNINGHAM bankruptcy@rocgd.com

LAUREL E. DAVIS bklsclv@lionelsawyer.com,
ldavis@lionelsawyer.com;gbagley@lionelsawyer.com;ldavisesq@aol.com

DEBT ACQUISITION COMPANY OF AMERICA V, LLC (tf) tfette@daca4.com

THOMAS H. FELL BANKRUPTCYNOTICES@GORDONSILVER.COM

SCOTT D. FLEMING sfleming@halelane.com, dbergsing@halelane.com,ecfvegas@halelane.com

GREGORY E GARMAN bankruptcynotices@gordonsilver.com

WADE B. GOCHNOUR wgochnour@hwmlvlaw.com, donnat@hwmlvlaw.com

CARLOS A. GONZALEZ carlos.gonzalez2@usdoj.gov,
Darlene.Ruckard@usdoj.gov;Eunice.Jones@usdoj.gov;Sue.Knight@usdoj.gov

GERALD M GORDON bankruptcynotices@gordonsilver.com

R. VAUGHN GOURLEY vgourley@lvcm.com

TALITHA B. GRAY bankruptcynotices@gordonsilver.com

JAMES D. GREENE bknotice@schrecklaw.com

MARJORIE A. GUYMON bankruptcy@goldguylaw.com, ddias@goldguylaw.com

JEFFREY R. HALL jhall@sheacarlyon.com,
bankruptcyfilings@sheacarlyon.com;aboehmer@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.cc

XANNA R. HARDMAN xanna.hardman@gmail.com

STEPHEN R HARRIS noticesbh&p@renolaw.biz

BRIGID M. HIGGINS bankruptcynotices@gordonsilver.com

DAVID W. HUSTON dwh@hustonlaw.net, swaits@hustonlaw.net

CHRISTOPHER D JAIME cjaime@waltherkey.com, kbernhar@waltherkey.com

EVAN L. JAMES ejameslv@earthlink.net, kbchrislaw@aol.com

TY E. KEHOE TyKehoeLaw@aol.com

ROBERT R. KINAS rkinas@swlaw.com,
mstrand@swlaw.com;jlustig@swlaw.com;chaines@swlaw.com;imccord@swlaw.com

ZACHARIAH LARSON ecf@lslawnv.com

JOHN J. LAXAGUE jlaxague@canecclark.com

GEORGE C LAZAR glazar@foxjohns.com, gclazar@sbcglobal.net

NILE LEATHAM nleatham@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

ROBERT C. LEPOME robert@robertlepome.com, susan@robertlepome.com

ANNE M. LORADITCH ecffilings@beckleylaw.com, aloraditch@beckleylaw.com;pkois@beckleylaw.com

REGINA M. MCCONNELL rmccconnell@kssattorneys.com

WILLIAM L. MCGIMSEY lawoffices601@lvcoxmail.com

RICHARD MCKNIGHT mcknightlaw@cox.net, gkopang@lawlasvegas.com;cburke@lawlasvegas.com

JEANETTE E. MCPHERSON bkfilings@s-mlaw.com

JEANETTE E. MCPHERSON bkfilings@s-mlaw.com

SHAWN W MILLER bankruptcyfilings@sheacarlyon.com,
smiller@sheacarlyon.com;aboehmer@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.com

DAVID MINCIN mcknightlaw@cox.net,
gkopang@lawlasvegas.com;dmincin@lawlasvegas.com,cburke@lawlasvegas.com

JOHN F MURTHA jmurtha@woodburnandwedge.com

ERVEN T. NELSON erv@rlbolick.com, susan@rlbolick.com

VICTORIA L NELSON bkecf@nevadafirm.com,
vnelson@nevadafirm.com;paltstatt@nevadafirm.com;rholley@nevadafirm.com;sliberio@nevadafirm.com

BOB L. OLSON ecffilings@beckleylaw.com, bolson@beckleylaw.com;dgriffis@beckleylaw.com

DONNA M. OSBORN ebaker@marquisaurbach.com,
dosborn@marquisaurbach.com;tszostek@marquisaurbach.com;kgallegos@MarquisAurbach.com

ANDREW M. PARLEN aparlen@stutman.com

PAUL C RAY info@johnpeterlee.com

SUSAN WILLIAMS SCANN sscann@deanerlaw.com, palexander@deanerlaw.com

LENARD E. SCHWARTZER bkfilings@s-mlaw.com

JAMES PATRICK SHEA bankruptcyfilings@sheacarlyon.com,
ltreadway@sheacarlyon.com;rmsmith@sheacarlyon.comSHLOMO S. SHERMAN ssherman@sheacarlyon.com,
aboehmer@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.cc

AMBRISH S. SIDHU ecf@lslawnv.com

JEFFREY G. SLOANE gjklepel@yahoo.com, rmccconnell@kssattorneys.com

DAVID A. STEPHENS dstephens@lvcm.com

PETER SUSI cheryl@msmlaw.com, msm@msmlaw.com

JEFFREY R. SYLVESTER jeff@sylvesterpolednak.com, David@sylvesterpolednak.com

CARYN S. TIJSSELING ctijsseling@beckleylaw.com, aanthony@beckleylaw.com

AMY N TIRRE atirre@kkbrf.com, ksimms@kkbrf.com;lleverett@kkbrf.com

U.S. TRUSTEE - LV - 11 USTPRegion17.lv.ecf@usdoj.gov

GREGORY J. WALCH GWalch@Nevadafirm.com

WHITNEY B. WARNICK wbw@albrightstoddard.com, bstessel@albrightstoddard.com

JOAN C WRIGHT jwright@allisonmackenzie.com, jbrooks@allisonmackenzie.com

MATTHEW C. ZIRZOW bankruptcyntices@gordonsilver.com

06-10725-lbr Notice will not be electronically mailed to:

THOMAS J. ALLISON

ALVAREZ & MARSAL, LLC

AMERICAN EXPRESS BANK FSB
C/O BECKET AND LEE LLP
POB 3001
MALVERN, PA 19355-0701ANGELO GORDON & CO
C/O JED HART
245 PARK AVE, 26TH FL

NEW YORK, NY 10167

EVAN BEAVERS
1625 HIGHWAY 88, #304
MINDEN, NV 89423

BECKLEY SINGLETON, CHTD.

FLOCERFIDA BENINCASA
9359 ROPING COWBOY AVE
LAS VEGAS, NV 89178

JASPER BENINCASA
9359 ROPING COWBOY AVE.
LAS VEGAS, NV 89178

JOSHUA D BRYSK
LAW OFFICES OF JAMES G SCHWARTZ
7901 STONERIDGE DRIVE, SUITE 401
PLEASANTON, CA 94588

ELISSA F CADISH
3930 HOWARD HUGHS PKWY, 4TH FLR
LAS VEGAS, NV 89169

DONNA CANGELOSI

CURTIS F CLARK

VINCE DANELIAN
P.O. BOX 97782
LAS VEGAS, NV 89193

FRANK A ELLIS
510 S 9TH ST
LAS VEGAS, NV 89101

GEORGE D FRAME
601 GREENWAY ROAD, STE D
HENDERSON, NV 89015

FTI CONSULTING, INC.

RICHARD D. GREEN

JOHN HANDAL

HILCO REAL ESTATE LLC/HILCO REAL ESTATE APPRAISAL, LLC

,
DAVID W. HUSTON
,

INTERIM COMMITTEE OF CONCERNED INVESTORS
,

PAUL A. JACQUES
810 SE 7TH ST A-103
DEERFIELD BEACH, FL 33441

ANNETTE W JARVIS
POB 45385
SALT LAKE CITY, UT 84145

ANNETTE W JARVIS
POB 45385
36 SOUTH STATE STREET, #1400
SALT LAKE CITY, UT 84145-0385

HARRY JESSUP
2009 WESTLUND DR.
LAS VEGAS, NV 89102

HELEN B. JESSUP
2009 WESTLUND DR.
LAS VEGAS, NV 89102

RICHARD E KAMMERMAN
RICHARD KAMMERMAN PC
7200 N MOPAC, SUITE 150
AUSTIN, TX 78731

LINDA KETTERMAN
321 N. 19TH STREET
ENID, OK 73701

RAY KETTERMAN
321 N. 19TH STREET
ENID, OK 73701

EDWARD KLINE
9932 ARBUCKLE DRIVE
LAS VEGAS, NV 89134

MATTHEW J. KREUTZER
HALE LANE PEEK DENNISON AND HOWARD
3930 HOWARD HUGHES PARKWAY
FOURTH FLOOR
LAS VEGAS, NV 89169

REID W. LAMBERT
WOODBURY & KESLER, P.C.

265 EAST 100 SOUTH, SUITE 300
SALT LAKE CITY, UT 84111

MARC A. LEVINSON
ORRICK, HERRINGTON & SUTCLIFFE LLP
400 Capitol Mall
Suite 30000
Sacramento, CA 95814-4497

LEWIS AND ROCA LLP
,

ELIZABETH R. LOVERIDGE
WOODBURY & KESLER, P.C.
265 EAST 100 SOUTH, SUITE 300
SALT LAKE CITY, UT 84111

LEE D. MACKSON
SHUTTS & BOWEN LLP
1500 MIAMI CENTER
201 SOUTH BISCAYNE BOULEVARD
MIAMI, FL 33131

JERROLD T. MARITIN
8423 PASO ROBLES
NORTHRIDGE, CA 91325

TERRY MARKWELL
12765 SILVER WOLF ROAD
RENO, NV 89511

RICHARD J. MASON
130 PINETREE LANE
RIVERWOODS, IL 60015

JAY L. MICHAELSON
,

BRECK E. MILDE
TERRA LAW LLP
60 SOUTH MARKET ST, SUITE 200
SAN JOSE, CA 95113

DOUGLAS M MONSON
RAY QUINNEY & NEBEKER P.C.
36 SOUTH STATE STREET
SUITE 1400
PO BOX 45385
SALT LAKE CITY, UT 84145-0385

STEVEN R ORR
RICHARDS WATSON & GERSHON
355 SOUTH GRAND AVENUE, 40TH FLOOR
LOS ANGELES, CA 90071

ORRICK, HERRINGTON & SUTCLIFFE, LLP

,

ANDREW M PARLEN

,

J. STEPHEN PEEK

HALE LANE PEEK DENNISON AND HOWARD

3930 HOWARD HUGHES PARKWAY

FOURTH FLOOR

LAS VEGAS, NV 89169

NANCY A. PETERMAN

GREENBERG TRAURIG, LLP

77 W. WACKER DR., SUITE 2500

CHICAGO, IL 60601

RAY QUINNEY & NEBEKER P.C.

36 SOUTH STATE STREET, SUITE 1400

P.O. BOX 45385

SALT LAKE CITY, UT 84145

ROBERT W. ULM, TRUSTEE OF THE ULM LIVING TRUST

,

R J ROCCO

12617 COTTAGEVILLE LANE

KELLER, TX 76248

NICHOLAS J SANTORO

400 S FOURTH ST 3RD FLOOR

LAS VEGAS, NV 89101

MICHAEL M. SCHMAHL

MCGUIREWOODS LLP

77 W. WACKER DRIVE, SUITE 4100

CHICAGO, IL 60601

JAMES G SCHWARTZ

7901 STONERIDGE DR #401

PLEASANTON, CA 94588

SCHWARTZER & MCPHERSON LAW FIRM

2850 S. JONES BLVD., #1

LAS VEGAS, NV 89146

SHEA & CARLYON, LTD.

,

SIERRA CONSULTING GROUP, LLC

,

PATRICIA K. SMOOTS

318 N GROVE
OAK PARK, IL 60302

BRADLEY J STEVENS
3300 N CENTRAL AVE
PHOENIX, AZ 85012

BRADLEY J STEVENS
3300 N CENTRAL AVE #1800
PHOENIX, AZ 85012

THOMAS W STILLEY
1000 SW BROADWAY #1400
PORTLAND, OR 97205

STEVEN C STRONG
RAY QUINNEY & NEBEKER P.C.
36 SOUTH STATE STREET
SUITE 1400
SALT LAKE CITY, UT 84145-0385

STUTMAN, TREISTER & GLATT PROFESSIONAL CORPORATION
1901 AVENUE OF THE STARS, 12TH FLR
LOS ANGELES, CA 90067

ROY R. VENTURA

RUSSELL S. WALKER
265 EAST 100 SOUTH
SUITE 300
SALT LAKE CITY, UT 84111

JOYCE WATSON
10612 BLACK IRON ROAD
LOUISVILLE, KY 40291

STEVE WATSON
10612 BLACK IRON ROAD
LOUISVILLE, KY 40291

WILLIAM E WINFIELD
POB 9100
OXNARD, CA 93031

MARION E. WYNNE
WILKINS, BANKESTER, BILES & WYNNE, P.A.
POST OFFICE BOX 1367
FAIRHOPE, AL 36533-1367